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SUPPORT BY THE UNITED NATIONS SYSTEM OF THE EFFORTS OF GOVERNMENTS TO PROMOTE AND CONSOLIDATE NEW OR RESTORED DEMOCRACIES

Letter dated 22 April 1996 from the Permanent Representatives of Belarus and the Russian Federation to the United Nations addressed to the Secretary-General

We hereby have the honour to transmit the text of the Treaty on the Formation of an Association between the Russian Federation and the Republic of Belarus, signed in Moscow on 2 April 1996 (see annex).

We should be grateful if you would have this letter and its anne.. circulated as a document of the General Assembly under item 41 of the preliminary list.

(Signed) A. SYCHOU
Ambassador
Permanent Representative
of the Republic of Belarus
to the United Nations

(Signed) S. LAVROV
Ambassador
Permanent Representative
of the Russian Federation
to the United Nations

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Annex

Treaty on the Formation of an Association between the Russian Federation and the Republic of Belarus, signed in Moscow on 2 April 1996

The Russian Federation and the Republic of Belarus, hereinafter referred to as the Parties,

Taking as a basis the historically forged common destiny of their peoples,

Relying on their wish for future rapprochement as expressed by the results of the referendum of May 1995 in Belarus and the decisions of October 1995 taken by the chambers of the Federal Assembly of the Russian Federation,

Taking as a basis the provisions of the Treaty of 21 February 1995 on friendship, good-neighbourliness and cooperation between the Russian Federation and Belarus,

Confirming their participation in the Commonwealth of Independent States and the Treaty of 29 March 1996 between the Republic of Belarus, the Republic of Kazakstan, the Kyrgyz Republic and the Russian Federation on deepening integration in the economic and humanitarian fields,

Have agreed as follows:

Article 1

The Parties have voluntarily decided, with a view to uniting the material and intellectual potential of the two States in order to boost their economies and create equal conditions for raising the standard of living of their peoples and the spiritual development of the individual, to form an Association of the Russian Federation and Belarus that is profoundly integrated both politically and economically.

Article 2

The Association shall be based on the principles of sovereignty and equality of the Parties, democracy and respect for human rights and the generally accepted principles and standards of international law.

Article 3

The Parties shall coordinate their foreign policy and common positions on fundamental international questions, and shall cooperate in ensuring security, guarding borders and combating crime.

In order to ensure reliable security, the Parties shall elaborate common principles of military organizational development and the use of elements of military infrastructure in accordance with national legislation.

Article 4

In order to establish a single economic area, the effective functioning of a common market and the free movement of goods, services, capital and labour, before the end of 1997 the Parties shall synchronize the stages, deadlines and extent of the economic reforms to be implemented, establish a single normative-legal base to eliminate any interstate barriers and restrictions, and establish equal opportunities for free economic activity.

During this period the Parties shall form a unified system of anti-monopoly legislation, taxation, State support for production, the investments regime and standards and rules for labour protection, and shall also complete the establishment of a common customs area with a unified administrative service.

Article 5

The Parties shall ensure that measures are taken before the end of 1996 to form a common transport system with unified tariffs for the conveyance of goods and passengers, a unified power network and a common scientific, technological and information area.

Article 6

From 1997 the Parties shall agree on a structural policy for the future development of their economies, with a view to the establishment of industrial and agricultural economic complexes based on mutual complementarity of the economies, maximum use of the advantages of a rational division of labour, and specialization and collaboration in production.

With effect from 1997, a transition shall be made to drawing up joint balances of production capacities and their coordinated use in the interests of the Parties.

Article 7

Unification of the financial, credit and budget systems of the Parties shall be carried out before the end of 1997, and conditions shall be created for the introduction of a common currency.

Article 8

The Parties:

Shall guarantee the equal rights of citizens of the Parties in the fields of education, job placement, remuneration for labour, and provision of other social guarantees;

Shall introduce unified standards of social protection;

Shall guarantee the equal right of physical persons to acquire property for the purposes of ownership, possession, use and enjoyment in their territory;

Shall equalize the terms of pension support and the levels of allowances and entitlements for war and labour veterans, the disabled and low-income families;

Shall unify standards in the field of labour protection, social insurance and industrial and social hygiene;

Shall establish a common database for questions relating to the employment of the population and the existence of job vacancies.

Article 9

The supreme body of the Association shall be the Supreme Council, which shall comprise the Heads of State and Government, the leaders of the parliaments of the Parties, and the Chairman of the Executive Committee.

Within the limits of the powers of the Association, the Supreme Council shall examine and decide on the most important issues affecting the development of the Association, and shall monitor and direct the work of its organs in carrying out the decisions it has adopted.

The Supreme Council shall determine where the organs of the Association are to be located.

The Supreme Council shall elect a Chairman on a rotational basis for a two-year term.

Decisions of the Supreme Council shall be adcpted by consensus, each Party having one vote. The Chairman of the Executive Committee shall have an advisory role.

The Supreme Council shall approve its own statute.

Article 10

The Parties shall establish a Parliamentary Assembly formed of an equal number of parliamentarians from each Party.

The Parliamentary Assembly shall adopt model laws and submit appropriate proposals to bodies having the right of legislative initiative, the parliaments of the Parties and the Supreme Council with regard to questions pertaining to the development of the legal basis of the Association.

Decisions of the Parliamentary Assembly shall be adopted by a qualified majority of votes.

Meetings of the Parliamentary Assembly shall be deemed to be legally constituted if at least two thirds of the deputies from each Party are present.

The Parliamentary Assembly shall adopt its own rules of procedure.

Article 11

In order to organize practical work on the implementation of the Treaty, the Supreme Council shall establish an Executive Committee as the standing executive body, and also sector-based administrative bodies.

The Chairman of the Executive Committee shall be appointed by the Supreme Council.

The Executive Council shall include an equal number of representatives of the Parties. The representatives of the Parties appointed to serve on the Executive Committee shall be approved by the respective Heads of State.

The Executive Committee:

Shall elaborate projects and programmes to implement the aims and tasks of the Association, proposals to finance measures carried out by the Association and proposals to establish bodies and organizations to address the relevant tasks of the Association, and shall submit them to the Supreme Council for approval;

Shall elaborate and approve measures to implement decisions of the Supreme Council and approved projects and programmes of the Association, and organize and monitor their implementation;

Shall coordinate the work of other bodies and organizations recruited by each Party to implement the projects and programmes of the Association;

Shall conclude in its own right relevant civil rights agreements;

Shall provide financial and other support for feasible projects, programmes and specific measures in line with the resources allocated to the budget of the Association;

Shall submit an annual report to the Supreme Council on the progress that has been made in implementing the projects and programmes of the Association.

The functions of the Executive Committee and the procedure governing its activity shall be determined by a Statute on the said Committee, to be approved by the Supreme Council.

The Executive Committee shall have a staff, the size of which shall be determined by the Supreme Council.

Article 12

The functions of the bodies of the Association which are to be established shall be as follows:

Prosecution of a common economic and social policy, elaboration and implementation of joint programmes;

Formation of a single normative-legal base;

Implementation of measures designed to unify the financial, credit, taxation and budget systems;

Elaboration and implementation of measures to create conditions for the introduction of a common currency;

Formation of a single power, transport and communications system;

Rational location of new production capacity and modernization of existing capacity;

Cooperation in resolving questions involving the employment of the population;

Coordinated conduct of foreign economic relations;

Joint organization of customs procedure;

Establishment of common norms and standards, systems of measurement and statistics;

Every possible assistance in developing a common scientific, educational and cultural area;

Cooperation to ensure protection of the environment and elimination of the consequences of accidents and natural disasters;

Establishment of a single meteorological service;

Cooperation to ensure the security and protection of borders.

Article 13

The Supreme Council and the Executive Committee shall be entitled to the extent of their competence to make immediately executable decisions, without prejudice to the Constitutions of the Parties, or decisions which need to be incorporated into national legislation.

Article 14

The budget of the Association shall be funded by an annual allocation of resources from the State budgets of the Parties, and shall be used to finance common programmes and maintain Association bodies.

On the basis of supplementary agreements, the Parties shall transfer to Association bodies such property as they may need to exercise the powers entrusted to them. This property shall be jointly owned by the Parties and used solely in their common interest.

Article 15

While participating in the Association, each Party shall preserve its State sovereignty, independence and territorial integrity, its Constitution, State flag, emblem, national anthem and other attributes of State authority.

Article 16

The States comprising the Association shall be subjects of international law; they shall independently establish diplomatic, consular, trade and other relations with foreign States and conclude international treaties.

The Parties shall retain their membership in the United Nations and other international organizations.

Article 17

The future development of the Association and its structure shall be determined by referendums which shall be held in the territories of the Parties in accordance with their national legislation.

Article 18

This Treaty is open for accession by other States sharing its aims and principles and willing to assume to the full the commitments arising from the Treaty.

Article 19

This Treaty shall be applicable on a provisional basis from the date of its signature; it shall be subject to ratification and shall enter into force on the date of exchange of the instruments of ratification.

DONE at Moscow on 2 April 1996 in two copies, in the Russian and Belarusian languages, both texts being equally authentic.

For the Russian Federation:

(Signed) B. YELTSIN

For the Republic of Belarus:

(Signed) A. LUKASHENKA